

Department of the Army, DoD

§ 556.26

under a license agreement. Specifically, such use—

(1) Entails use of space that may be recalled at any time by the installation commander without prior notice to the PO.

(2) Involves no lease agreement between the PO and the installation.

(3) Permits storage of equipment and supplies provided that such storage does not interfere with, nor restrict, the normal use of the facility by other users.

(b) *Use of space and facilities under lease agreement.* Use of space under a lease agreement will be defined as the guaranteed *sole* use of space or a facility on a full-time basis; guaranteed use of space for a specific period of time; or storage of in-place equipment or supplies that impairs or restricts normal use of the facility by other users. POs have certain property rights when use is granted under a lease agreement. Specifically, such use—

(1) Guarantees facility use for a specific period of time. Termination of the lease agreement requires a 30-day notice except in times of national emergency.

(2) Requires a lease agreement between the PO and the U.S. Government. This lease protects the PO's use of the facility based upon other conflicting installation priorities and requirements.

(3) Requires payment for use of space and facilities under a lease agreement.

(i) Rent for use of space in CONUS will be set by the district engineer.

(ii) Rent outside the continental United States (OCONUS) will be set by installation commanders per host country Status of Forces Agreements, treaties, or other agreements under which the Army controls such real estate.

(c) *Exceptions.* At the discretion of the installation commander:

(1) Nonprofit thrift shops and museum foundation POs may be granted use of space by means of a rent-free, revocable-at-will license.

(2) On-post youth group POs (Scouts, little league, and so forth) may be granted revocable-at-will licenses for one-time, intermittent, or continuing use of available meeting facilities. (See AR 405-80.)

(d) *Use by veterans' organization.* AR 405-80 authorizes major Army commanders to lend certain real property (including unoccupied barracks) to veterans' organizations for use at—

(1) State or national conventions; or

(2) National youth athletic or recreational tournaments sponsored by veterans organizations.

§ 556.24 Equipment.

POs must furnish or procure equipment, supplies, and other materials at their own expense.

(a) Government-owned equipment may be loaned or rented to a PO; however, such equipment must be directly related to the purpose and function of the PO.

(b) APFs and NAFs will not be used to repair equipment owned by, or loaned to, tenant POs unless a request is approved by the installation commander for the PO to reimburse the installation for such repairs.

(c) Audio-visual hardware and software may be used by POs when not in use for official purposes. (See AR 108-2.)

§ 556.25 Transportation.

All transportation support provided to POs will be on a reimbursable basis per AR 58-1, per the provisions of AR 37-60 (see § 556.22) to include all operations and maintenance costs associated with providing this service. The installation commander will ensure that transportation made available to POs neither is detrimental to the command mission nor generates requirements for additional military vehicles. Specific provisions follow:

(a) In CONUS, the commander may authorize reimbursable military bus service in support of PO-sponsored or co-sponsored special events on post, if other conditions of section 556.21 (1) and (b) are met.

(b) At OCONUS locations, military buses may be authorized on a reimbursable basis to support special events conducted at non-military sites.

§ 556.26 Utilities.

All POs will reimburse the installation for utilities except when not required under § 556.22.